IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 150 OF 2007

IN

MISC.CIVIL APPLICATION NO. 813 OF 2005

SHRI DEVIDAS VISHWANATH MARATHE (NOW DEC.) THROUGH HIS L.RS. MISS AMAGA D. MARATHE AND 9 ORS., ...Applicants

Versus

M/S. KURTARKAR REAL ESTATES AND 16 ORS., ...Respondents

Mr. John Abreu Lobo, for the Applicants.

Mr. R. Menezes, for the Respondent No.1.

Coram:- S.K. SHAH, J.

Date:- 2nd March, 2007

P.C.:

This is an application for restoring the appeal as against Respondents No.10 and 16. The appeal stood dismissed as against respondents No.10 and 16, as a result of the failure on the part of the petitioner to take steps to serve them. The learned Counsel for the Applicants now states that the correct address of respondent No.10 has now been found out and respondent No.10 will also be served. He states that earlier, it could not be done despite the serious efforts having been made. As regards respondent No.16, the notice was sent to the wrong Court for service and therefore the notice was returned unserved.

The learned counsel for the respondent no.1 has no objection. The application is therefore allowed. The appeal is hereby restored as against respondents No.10 and 16.

Application therefore stands disposed of.

S.K. SHAH, J.

sl.